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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,845	10/27/2003	Steve Davies	0153 0974US	9294
7590 11/04/2005			EXAMINER	
Dreiss, Fuhlendorf, Steimle & Becker Postfach 10 37 62 Stuttgart, D-70032 GERMANY			SEMBER, THOMAS M	
			ART UNIT	PAPER NUMBER
			2875	

DATE MAILED: 11/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary	Application No. 10/692,845	Applicant(s) DAVIES ET AL.	
	Examiner Thomas M. Sember	Art Unit 2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 12-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5,9 and 12-14 is/are rejected.
- 7) ☒ Claim(s) 6-8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2, 12 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Langdon. Langdon discloses a lamp comprising at least one headlamp having a headlamp reflector 11 and a first light source 10 provided within a first focal area of said headlamp reflector 11, wherein at least a portion of an inner surface (23 and 24) of said headlamp reflector has a dark color (see column 2, lines 30-34). **Note the recitation of “headlamp” or “turning signal” in claims 1 and 12 is giving little patentable weight because it is an intended use limitation. Since the lamp is capable of being used in a vehicle or automobile it meets these limitations.**

Regarding claim 2, “said portion of said inner surface of said headlamp reflector is comprised of nickel 13.

Regarding claim 14, the claim is a product by process claim and only the product “metallic coating” is given any patentable weight.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-4, 9 and 12-14 are rejected under 35 U.S.C. 102(b) as being anticipated by McGuire. McGuire discloses a lamp comprising at least one headlamp having a headlamp reflector 20 and a first light source 14 provided within a first focal area of said headlamp reflector 20, wherein at least a portion of an inner surface of said headlamp reflector or bezel has a dark color (see column 2, lines 25-32). The lamp also includes an opaque shield 822 mounted in front of the bulb. **Note the recitation of “headlamp” or “turning signal” in claims 1 and 12 is giving little patentable weight because it is an intended use limitation. Since the lamp is capable of being used in a vehicle or automobile it meets these limitations.**

Regarding claim 14, the claim is a product by process claim and only the product “metallic coating” is given any patentable weight.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-4, 6-8, 12 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over (Kosmatka '433 or Bradley '748) in view of Langdon. (Kosmatka

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'433 or Bradley '748) discloses the claimed invention except for the teaching that the darkened coating on the reflector is metallic. (Kosmatka '433 or Bradley '748) teaches an inner reflector and bezel surface coated with an opaque material. Langdon teaches an inner reflector surface which includes an opaque metallic coating. It would have been obvious to one skilled in the art at the time the invention was made to use a opaque metallic coating as taught by Langdon for the opaque coating of (Kosmatka '433 or Bradley '748) on the inner surface of a reflector in order to provide a efficient reflective surface with aesthetically pleasing effects when the lamp is not turned on.

Regarding claim 3, a bulb shield 18 is mounted in front of said first light source within said first focal area of said headlamp reflector, wherein a far surface of said bulb shield has a dark finish.

Regarding claim 4, the first bulb is a halogen bulb.

Regarding claim 14, the claim is a product by process claim and only the product "metallic coating" is given any patentable weight.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-4, 6-9 and 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over (Kosmatka '433 or Bradley '748) in view of McGuire. (Kosmatka

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'433 or Bradley '748) discloses the claimed invention except for the teaching that the darkened coating on the reflector is metallic. (Kosmatka '433 or Bradley '748) teaches an inner reflector and bezel surface coated with an opaque material. McGuire teaches an inner reflector surface which includes an opaque metallic coating. It would have been obvious to one skilled in the art at the time the invention was made to use a opaque metallic coating as taught by McGuire for the opaque coating of (Kosmatka '433 or Bradley '748) on the inner surface of a reflector in order to provide a efficient reflective surface with aesthetically pleasing effects when the lamp is not turned on.

Regarding claim 3, a bulb shield 18 is mounted in front of said first light source within said first focal area of said headlamp reflector, wherein a far surface of said bulb shield has a dark finish.

Regarding claim 4, the first bulb is a halogen bulb.

Regarding claim 14, the claim is a product by process claim and only the product "metallic coating" is given any patentable weight.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over

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(Kosmatka '433 or Bradley '748) in view of (Langdon or McQuire) as applied in claims 1-4, 6-8, 12 and 14 further in view of Bergman et al. (Kosmatka '433 or Bradley '748) in view of (Langdon or McQuire) as applied in claims 1-4, 6-8, 12 and 14 discloses the claimed invention except for the IR coated halogen bulb. Bergman et al teaches an Infrared coated halogen bulb for transmitting visible light while reflecting IR light back to filament in order to increase the operating efficiency of the lamp. It would have been obvious to one skilled in the art at the time the invention was made modify the bulb 14 of (Kosmatka '433 or Bradley '748) to include an IR coating as taught by Bergman et al in order to increase the operating efficiency of the lamp.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 9 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over (Kosmatka '433 or Bradley '748) in view of Langdon as applied in claims 1-4, 6-8, 12 and 14 further in view of Suzuki et al. (Kosmatka '433 or Bradley '748) in view of Langdon as applied in claims 1-4, 6-8, 12 and 14 discloses the claimed invention except for the teaching that dark color or finish is black. (Kosmatka '433 or Bradley '748) discloses at column 2, lines 30-34 that inner surfaces 23 and 24 can be coated with light absorbing or dark non-reflective paint. Suzuki et al discloses that a light absorbing color

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or dark non-reflective color used with an automobile can be the color black. It would have been obvious to one skilled in the art at the time the invention was made use a black color as taught by Suzuki et al for the light absorbing or dark non-reflective paint of (Kosmatka '433 or Bradley '748) since the examiner takes official notice that it is well known in the illumination art to use a black color for a light absorbing or dark non-reflective surface as supported by Suzuki et al and furthermore because Suzuki et al also supports using a black non-reflective color for reducing glare.

Allowable Subject Matter

13. Claims 6-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas M. Sember whose telephone number is 571-272-2381. The examiner can normally be reached on M-F 8 A.M- 5.30 p.m. first Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 703-571-2878. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thomas M Sember



THOMAS M. SEMBER
PRIMARY EXAMINER